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EXAMINER

ELAHEE, MD S

ART UNIT

PAPER NUMBER

2697

DATE MAILED: 09/08/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/075,151

Applicant(s)

DELANEY ET AL.

Examiner

Md S Elahee

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) 16-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 and 19-36 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other: _____

DETAILED ACTION

Restriction Requirement

1. Restriction to one of the following inventions is required under 35 U.S.C. 121:

Group I. Claims 1-15 and 19-36, drawn to With interexchange network routing, classified in Class 379, subclass 220.01.

Group II. Claims 16-18, drawn to Call charge metering or monitoring, classified in Class 379, subclass 114.01.

The inventions are distinct, each from the other because of the following reasons:

2. Inventions Group I. Claims 1-15 and 19-36, drawn to With interexchange network routing, classified in Class 379, subclass 220.01 and Group II. Claims 16-18, drawn to Call charge metering or monitoring, classified in Class 379, subclass 114.01 are related as subcombinations disclosed as usable together in a single combination. The subcombinations are distinct from each other if they are shown to be separately usable. In the instant case, Invention Group I has separate utility such as for use in With interexchange network routing for the call. See M.P.E.P. § 806.05(d).
3. Because these inventions are distinct for the reason given above and the search required for Group I is not required for Group II, restriction for examination purposes as indicated proper.
4. During a telephone conversation with Jeffrey I. Kaplan on 08/06/03 a provisional election was made with traverse to prosecute the invention of Group I, claims 1-15 and 19-36. Affirmation of this election must be made by applicant in responding to this Office action. Claims 16-18 are withdrawn without traverse from further consideration by the Examiner, 37 C.F.R. § 1.142(b), as being drawn to a non-elected invention.

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5. Applicant is reminded that upon the cancellation of claims to a non-elected invention, the inventorship must be amended in compliance with 37 C.F.R. § 1.48(b) if one or more of the currently named inventors is no longer an inventor of at least one claim remaining in the application. Any amendment of inventorship must be accompanied by a diligently-filed petition under 37 C.F.R. § 1.48(b) and by the fee required under 37 C.F.R. § 1.17(h).

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-4, 12 and 30-34 are rejected under 35 U.S.C. 102(e) as being anticipated by Chang et al. (U.S. Pub No. 2003/0095542).

Regarding claim 1, Chang teaches a database for storing a category of telephone numbers representing telephone calls to be placed over a IP network in packet switched format (abstract; page 4, paragraph 0043, page 22, paragraph 0247, page 27, paragraph 0301, page 28, paragraph 0303; 'database' reads on the claim 'memory' and 'IP network' reads on the claim 'data network').

Chang further teaches called gateway server for accepting a dialed telephone call, for determining whether the call is within the category, and for routing the call to the IP network if

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so (abstract; page 27, paragraph 0301, page 28, paragraph 0303; 'called gateway server' reads on the claim 'processing means' and 'IP network' reads on the claim 'data network').

Regarding claim 2, Chang teaches that the IP network includes plural originating gateways, and wherein the database stores information concerning which of the plural originating gateways to utilize to access the IP network (abstract; fig.1, fig.58; page 27, paragraph 0301, page 28, paragraph 0303; 'IP network' reads on the claim 'data network' and 'database' reads on the claim 'memory').

Regarding claim 3, Chang teaches that each of the originating gateways is capable of communicating over an IP network to plural terminating gateways (abstract; fig.1, fig.58; page 27, paragraph 0301, page 28, paragraph 0303; 'IP network' reads on the claim 'data network').

Regarding claim 4, Chang teaches that the category is comprised of all long distance calls in which the call originates (abstract; page 4, paragraph 0044, page 28, paragraph 0303; 'long distance calls' reads on the claim 'calls outside of an area code').

Regarding claim 12, Chang teaches a gateway server connected directly to a calling telephone, the gateway server being programmed to separate long distance calls from local calls, the gateway server further being programmed to transmit some of the long distance calls and all of the local calls over a company's intranet, and the remainder of the long distance calls over a company's internet (page 4, paragraph 0044, page 9, paragraph 0116, page 15, paragraph 0167; 'gateway server' reads on the claim 'router', 'company's intranet' reads on the claim 'circuit switching network' and 'company's internet' reads on the claim 'packet switching network').

Regarding claim 30, Chang teaches means for receiving a telephone number from a terminal (abstract; page 27, paragraph 0301, page 28, paragraph 0303).

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Chang further teaches a database for storing a category of telephone numbers representing telephone calls to be placed over a IP network in packet switched format (abstract; page 4, paragraph 0043, page 22, paragraph 0247, page 27, paragraph 0301, page 28, paragraph 0303; 'database' reads on the claim 'memory' and 'IP network' reads on the claim 'data network').

Chang further teaches means for storing the telephone number, and for acquiring and storing the number (abstract; page 4, paragraph 0043, page 22, paragraph 0247, page 27, paragraph 0301, page 28, paragraph 0303).

Chang further teaches means for substituting a different number for the telephone number if the telephone number is within a predetermined class of numbers (abstract; page 27, paragraph 0301, page 28, paragraph 0303).

Chang further teaches means responsive to the means for substituting for establishing a call from the apparatus to a second apparatus at the substituted different number using out of band signaling (page 25, paragraph 0267, page 27, paragraph 0301, page 28, paragraph 0303).

Chang further teaches means responsive to the establishing means for transmitting the dialed number in band to the second apparatus (page 25, paragraph 0267, page 27, paragraph 0301, page 28, paragraph 0303).

Regarding claim 31, Chang teaches that the second apparatus is a gateway (page 25, paragraph 0267, page 27, paragraph 0301, page 28, paragraph 0303).

Regarding claim 32, Chang teaches that the second apparatus is a computer (abstract; page 25, paragraph 0267, page 27, paragraph 0301).

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Regarding claim 33, Chang teaches that the second apparatus communicates over the data network with plural computers to perform authentication and verification prior to completing a call (abstract; page 25, paragraph 0267, page 27, paragraph 0301).

Regarding claim 34, Chang teaches that apparatus for processing dialed numbers and conveying them to a network to complete calls, the apparatus comprising transmitting the dialed number to the network using in band signaling if the dialed number represents a long distance call, and transmitting the dialed number to the network using out of band signaling if the dialed number represents a local call (page 4, paragraph 0044, page 9, paragraph 0116, page 15, paragraph 0167, page 25, paragraph 0267).

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

9. Claims 10 and 11 are rejected under 35 U.S.C. 102(b) as being anticipated by Neyman (U.S. Patent No. 6,215,783).

Regarding claim 10, Neyman teaches examining a dialed number associated with a call prior to the call reaching a Trunk gateway (col.8, lines 66, 67, col.9, lines 1-6; 'Trunk gateway' reads on the claim 'telephone switch').

Neyman further teaches that if the number is within a pre-defined criteria, conveying the telephone call to a first remotely located Trunk gateway over a data network (col.9, lines 1-6; 'pre-defined criteria' reads on the claim 'predetermined class of numbers' and 'Trunk gateway' reads on the claim 'telephone switch').

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Neyman further teaches that if the number is not within the pre-defined criteria, conveying the telephone call to a second remotely located Trunk gateway over a telephone network (col.9, lines 1-6; 'pre-defined criteria' reads on the claim 'predetermined class of numbers' and 'Trunk gateway' reads on the claim 'telephone switch').

Regarding claim 11, Neyman teaches that the remote Trunk gateway is reached via a Trunk gateway, and wherein the determination of which of the Trunk gateway is utilized to reach the remote Trunk gateway is made at least in part by comparing a predetermined subset of digits contained in a called telephone number (col.8, lines 61-67, col.9, lines 1-6; 'Trunk gateway' reads on the claim 'either a telephone switch, a first terminating gateway, or a second terminating gateway').

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claims 5, 6, 35 and 36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. (U.S. Pub No. 2003/0095542) and in view of Girard (U.S. Pub No. 2003/0095542).

Regarding claims 5 and 6, Chang fails to teach "said operations center being capable of altering information stored within said memory and implementing changes to said category of telephone numbers". Girard teaches the operations center being capable of modifying information stored within the database and implementing changes to the category of telephone

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numbers (abstract; page 8, paragraph 0097, page 16, paragraph 0208; 'modifying' reads on the claim 'altering' and 'database' reads on the claim 'memory'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chang to allow operations center being capable of altering information stored within said memory and implementing changes to said category of telephone numbers as taught by Girard. The motivation for the modification is to have doing so in order to generate the updated information.

Regarding claim 35, Chang fails to teach "said network operations center configured to update stored information in said apparatus over a data network". Girard teaches the network operations center configured to modify update stored information in the apparatus over a data network (abstract; page 8, paragraph 0097, page 16, paragraph 0208; 'modify' reads on the claim 'update'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chang to allow network operations center configured to update stored information in the apparatus over a data network as taught by Girard. The motivation for the modification is to have doing so in order to generate the updated information.

Regarding claim 36, Chang teaches that dialed numbers transmitted in band are transmitted to a telephone switch, and dialed numbers transmitted out of band are transmitted to a gateway (page 25, paragraph 0267).

12. Claims 7-9, 19 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neyman (U.S. Patent No. 6,215,783) and in view of Chang et al. (U.S. Pub No. 2003/0095542).

Regarding claim 7, Neyman teaches examining a received telephone number to ascertain whether a particular property is present (col.8, lines 66, 67, col.9, lines 1-6).

Neyman further teaches that if so, routing the call to a Data gateway, and if not, routing the call to a Trunk gateway (col.9, lines 1-6; 'Data gateway' reads on the claim 'originating gateway' and 'Trunk gateway' reads on the claim 'telephone switch').

However, Neyman fails to teach "if the call is routed to the originating gateway, examining the telephone number again to determine to which of a plurality of terminating gateways the call should be routed". Chang teaches that if the call is routed to the caller gateway server, examining the telephone number again to determine to which of a plurality of called gateway servers the call should be routed (fig. 3A; page 7, paragraphs 0089, 0090, page 28, paragraph 0303; 'caller gateway server' reads on the claim 'originating gateway' and 'called gateway servers' reads on the claim 'terminating gateways'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to allow examining the telephone number again to determine to which of a plurality of terminating gateways the call should be routed as taught by Chang. The motivation for the modification is to have doing so in order to provide the proper utilization of the resources.

Regarding claim 8, Neyman fails to teach "said originating gateway makes said determination of said terminating gateway in conjunction with other gateways". Chang teaches that the caller gateway server, makes the determination of the called gateway server in conjunction with other gateway servers (fig. 3A; page 7, paragraphs 0089, 0090, page 28, paragraph 0303; 'caller gateway server' reads on the claim 'originating gateway' and 'called gateway servers' reads on the claim 'terminating gateways'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to allow the originating gateway making the determination of said terminating gateway in conjunction

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with other gateways as taught by Chang. The motivation for the modification is to have doing so in order to provide the proper utilization of the resources.

Regarding claim 9, Neyman fails to teach "reallocating traffic among plural terminating gateways". Chang teaches reallocating traffic among plural called gateway servers (fig. 3A; page 7, paragraphs 0089, 0090, page 28, paragraph 0303; 'called gateway servers' reads on the claim 'terminating gateways'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to reallocate traffic among plural terminating gateways as taught by Chang. The motivation for the modification is to have doing so in order to handle a high volume of traffic.

Regarding claim 19, Neyman teaches receiving a dialed number by an IP router (col.8, lines 38- 51; 'IP router' reads on the claim 'router').

Neyman further teaches parking the dialed number at the IP router (col.8, lines 38- 51; 'IP router' reads on the claim 'router').

Neyman further teaches transmitting the dialed number from the router to an originating gateway (e.g. either Data gateway or Trunk gateway) (col.9, lines 1-6).

Neyman further teaches parking the dialed number at the originating gateway (e.g. either Data gateway or Trunk gateway) (col.9, lines 1-6).

However, Neyman fails to teach "finding an optimum terminating gateway to accept said call over said data network". Chang teaches finding an optimum called gateway server to accept the call over the data network (fig. 3A; page 7, paragraphs 0089, 0090, page 28, paragraph 0303; 'called gateway server' reads on the claim 'terminating gateway'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman

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to find an optimum terminating gateway to accept the call over the data network as taught by Chang. The motivation for the modification is to have doing so in order to provide the proper utilization of the resources.

Neyman further fails to teach "sending the dialed number from the first gateway to a second gateway over said data network". Chang teaches sending the dialed number from the caller gateway server to a called gateway server over the data network (fig. 3A, fig.58; page 7, paragraphs 0089, 0090, page 28, paragraph 0303; 'caller gateway server' reads on the claim 'first gateway' and 'called gateway server' reads on the claim 'second gateway'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to send the dialed number from the first gateway to a second gateway over the data network as taught by Chang. The motivation for the modification is to have doing so in order to convert one format of data to another format suitable for the routing over the network.

Neyman further fails to teach "connecting the call to a terminal identified by the dialed number". Chang teaches connecting the call to a terminal identified by the dialed number (page 28, paragraph 0303). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to connecting the call to a terminal identified by the dialed number as taught by Chang. The motivation for the modification is to have doing so in order to redirect the call to the proper destination.

Regarding claim 24, Neyman fails to teach "locating an optimum terminating gateway". Chang teaches locating a called gateway server (fig. 3A; page 7, paragraphs 0089, 0090, page 28, paragraph 0303; 'called gateway server' reads on the claim 'optimum terminating gateway'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was

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made to modify Neyman to locate an optimum terminating gateway as taught by Chang. The motivation for the modification is to have doing so in order to handle a high volume of traffic.

13. Claims 13 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. (U.S. Pub No. 2003/0095542) and in view of Neyman (U.S. Patent No. 6,215,783).

Regarding claim 13, Chang fails to teach “a plurality of originating gateways, at least one of which is in communication with said router for converting circuit switched calls to packet switched calls, and for routing same over a data network”. Neyman teaches a plurality of originating gateways, at least one of which is in communication with the router for converting circuit switched calls to packet switched calls, and for routing same over a data network (col.9, lines 1-6). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chang to allow a plurality of originating gateways, at least one of which is in communication with the router for converting circuit switched calls to packet switched calls, and for routing same over a data network as taught by Neyman. The motivation for the modification is to have doing so in order to generate packets over the data network.

Regarding claim 14, Chang fails to teach “a terminating gateway to convert telephone calls from a packet switching format on said data network to a circuit switching format, and to place said calls in circuit switching format on said telephone network”. Neyman teaches a terminating gateway to convert telephone calls from a packet switching format on the data network to a circuit switching format, and to place the calls in circuit switching format on the PSTN (abstract; col.9, lines 1-6; ‘PSTN’ reads on the claim ‘telephone network’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chang to allow a terminating gateway to convert telephone calls from a packet switching

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format on said data network to a circuit switching format, and to place said calls in circuit switching format on said telephone network as taught by Neyman. The motivation for the modification is to have doing so in order to convert one format of data to another format suitable for the routing over the network.

14. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Chang et al. (U.S. Pub No. 2003/0095542) and in view of Neyman (U.S. Patent No. 6,215,783) and further in view of Smith (U.S. Pub No. 2003/0123632).

Regarding claim 15, Chang in view of Neyman fails to teach "each of said terminating gateways incurs a charge as a result of terminating said calls, and wherein changes in such charges are utilized to update routing information stored in said router". Smith teaches that each of the terminating gateways incurs a charge as a result of terminating the calls, and wherein changes in such charges are utilized to update routing information stored in the router (page 3, paragraphs 0025). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chang in view of Neyman to allow each of the terminating gateways incurs a charge as a result of terminating said calls, and wherein changes in such charges are utilized to update routing information stored in the router as taught by Smith. The motivation for the modification is to have doing so in order to provide the proper charges for the telephone calls.

15. Claims 20-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neyman (U.S. Patent No. 6,215,783) and in view of Chang et al. (U.S. Pub No. 2003/0095542) and further in view of Galvin (U.S. Patent No. 6,134, 315).

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Regarding claim 20, Neyman in view of Chang fails to teach “acquiring the caller's number and determining if the caller is authorized”. Galvin teaches acquiring the caller's number and determining if the caller is authorized (abstract; col.4, lines 10-22, 42-47). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Chang to determine if the caller is authorized as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

Regarding claim 21, Neyman in view of Chang fails to teach “transmitting the calling number from the router to a computer”. Galvin teaches transmitting the calling number from the router to a processor (abstract; col.4, lines 10-53; ‘processor’ reads on the claim ‘computer’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Chang to transmit the calling number from the router to a computer as taught by Galvin. The motivation for the modification is to have doing so in order to match the identity of the user.

Neyman in view of Chang fails to teach “accessing a database associated with the computer”. Galvin teaches accessing a database associated with the processor (abstract; col.4, lines 10-53; ‘processor’ reads on the claim ‘computer’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Chang to accessing a database associated with the computer as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

Neyman in view of Chang fails to teach “comparing a calling number to information stored in the database”. Galvin teaches comparing a calling number to information stored in the database (abstract; col.4, lines 10-53). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Chang to compare a calling number to information stored in the database as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

Regarding claim 22, Neyman in view of Chang fails to teach “sending an authorization to the router if the caller is authorized”. Galvin teaches sending an authorization to the router if the caller is authorized (abstract; fig.2; col.4, lines 10-53). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Chang to send an authorization to the router if the caller is authorized as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

Regarding claim 23, Neyman in view of Chang fails to teach “terminating the call if the caller is not authorized”. Galvin teaches terminating the call if the caller is not authorized (fig.2; col.8, lines 42-44). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Chang to terminate the call if the caller is not authorized as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

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16. Claims 25-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Neyman (U.S. Patent No. 6,215,783) and in view of Galvin (U.S. Patent No. 6,134, 315) and further in view of Chang et al. (U.S. Pub No. 2003/0095542).

Regarding claim 25, Neyman teaches receiving a dialed number by an IP router (col.8, lines 38- 51; 'IP router' reads on the claim 'router').

Neyman further teaches parking the dialed number at the IP router (col.8, lines 38- 51; 'IP router' reads on the claim 'router').

However, Neyman fails to teach "determining if the caller is authorized". Galvin teaches determining if the caller is authorized (abstract; col.4, lines 10-22, 42-47). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to determine if the caller is authorized as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

Neyman further teaches sending the dialed number from the router to a first gateway (e.g. either Data gateway or Trunk gateway) (col.9, lines 1-6).

Neyman further teaches parking the dialed number at the originating gateway (e.g. either Data gateway or Trunk gateway) (col.9, lines 1-6).

Neyman in view of Galvin further fails to teach "sending the dialed number from the first gateway to a second gateway over said data network". Chang teaches sending the dialed number from the caller gateway server to a called gateway server over the data network (fig. 3A, fig.58; page 7, paragraphs 0089, 0090, page 28, paragraph 0303; 'caller gateway server' reads on the claim 'first gateway' and 'called gateway server' reads on the claim 'second gateway'). Thus, it

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would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Galvin to send the dialed number from the first gateway to a second gateway over the data network as taught by Chang. The motivation for the modification is to have doing so in order to convert one format of data to another format suitable for the routing over the network.

Neyman in view of Galvin further fails to teach "connecting the call to a terminal identified by the dialed number". Chang teaches connecting the call to a terminal identified by the dialed number (page 28, paragraph 0303). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Galvin to connecting the call to a terminal identified by the dialed number as taught by Chang. The motivation for the modification is to have doing so in order to redirect the call to the proper destination.

Regarding claim 26, Neyman fails to teach "acquiring the calling number by the router and transmitting the calling number from the router to a computer". Galvin teaches acquiring the calling number by the router and transmitting the calling number from the router to a computer (abstract; col.4, lines 10-53; 'processor' reads on the claim 'computer'). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to acquire the calling number by the router and transmitting the calling number from the router to a computer as taught by Galvin. The motivation for the modification is to have doing so in order to match the identity of the user and to make sure the authorized person is using the network.

Regarding claim 27, Neyman in view of Galvin fails to teach “selecting a terminating gateway”. Chang teaches selecting a called gateway server (fig. 3A; page 7, paragraphs 0089, 0090, page 28, paragraph 0303; ‘called gateway server’ reads on the claim ‘terminating gateway’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman in view of Galvin to select a terminating gateway as taught by Chang. The motivation for the modification is to have doing so in order to handle the traffic.

Regarding claim 28, Neyman fails to teach “sending an authorization to the router if the caller is authorized”. Galvin teaches sending an authorization to the router if the caller is authorized (abstract; col.4, lines 10-22, 42-47). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to send an authorization to the router if the caller is authorized as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

Regarding claim 29, Neyman fails to teach “terminating the call if the caller is not authorized”. Galvin teaches terminating the call if the caller is not authorized (fig.2; col.8, lines 42-44). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Neyman to terminate the call if the caller is not authorized as taught by Galvin. The motivation for the modification is to have doing so in order to make sure the authorized person is using the network.

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Conclusion

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alam Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffrey Hofsass can be reached on (703) 305-4717. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

M. E.

MD SHAFIUL ALAM ELAHEE
August 25, 2003

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